

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1-4 and 10-19 are present in this application.

Under 35 U.S.C. § 103(a), Claims 1-4, 10-12 and 17-19 are rejected over DE 3710111 (Bachmann) in view of U.S. 6,927,797 (Gelbard), and claims 13-16 are rejected over Bachmann and Gelbard in view of JP 10-191118 (Yamada).

The video camera according to the pending claims includes a camera body, a mounting member and a viewfinder. A first arm member is attached to the mounting member at a first end and attached to the viewfinder at a second end to be adjacent to a side of the camera body, the first arm member extending from the mounting member towards a back of the camera and pivotably rotatable about the mounting member and the viewfinder at first and second ends, respectively. A non-limiting example of the arm is illustrated by 91 in Figures 25 and 26. The viewfinder can be advantageously used as a long viewfinder.

Turning to the prior art rejections, Bachmann discloses a configuration with support arm 5 mounted on the front of the camera housing 1 and on the side wall of the viewfinder housing 3, as shown in Figure 1. The end of the arm 5 has a first pivot link 9 rotatable about a vertical axis perpendicular to the plane of the drawing, and a second link 11 rotatable about a horizontal axis 12 lying parallel to the camera housing front. Arm 5 is also pivotable about a link 8 in movement a of approximately 180 degrees. As described in the Abstract, the first link allows virtually 360 degree movement and the second link has a pivot zone of about  $\pm 90$  degrees. Bachmann states that the structure allows for correction of anatomic differences of camera users.

As correctly recognized in the Office Action, Bachmann contains no disclosure of a first arm member as recited in claim 1 extending from a mounting member towards a back of the camera body. The arm 5 in Bachmann appears to be constrained to not extend toward a

back of the camera body, due to the 180 degree limited pivoting about link 8. The Office Action looks to Gelbard, asserting it teaches a video camera having a viewfinder attached to an arm member 60 extended from a mounting member 24 towards a back of the camera.

Element 60 is an extension member mountable between the pivot member 28 and viewing module 38. The viewfinder is attached to the extension member. Extension member 60 corresponds to the housing 3 in Bachmann, and not to arm 5. Pivot member 28 allows extension member 60 to be pivoted. Correspondingly, second link 11 attached to housing 3 in Bachmann allows housing 3 to be pivoted. Arm 5 extends between the pivot link and the camera, which corresponds to base assembly 24 in Gelbard. Bachmann teaches adding the arm 5 between the second link 11 and the front of camera 1 to allow movement of the viewfinder housing defined by pivoting about links 8, 9 and 11.

Thus, there does not appear to be any reason why one skilled in the art would modify Bachmann based upon the extension member 60 in Gelbard such that support arm 5 would extend toward the back of the camera. First, the movement of arm 5 is constrained to not extend toward the back of the camera. Secondly, since arm 5 appears to correspond in function and position to assembly 24 in Gelbard, logically it may be possible to substitute arm 5 for support 24. But the result would be that the arm 5 would still not extend toward the back of the camera.

The proposed combination would also not be made when one considers the pivoting of the housing 3 of Bachmann and the extension member 60 of Gelbard in relation to arm 5. Arm 5 in Bachmann extends from second link 11 attached to the housing of the viewfinder to the camera body, allowing camera body 3 to be rotated about link 11. In Gelbard, assembly 24 extends from the pivoting member 28 to the camera housing, allowing the extension member 60 to be pivoted about member 28. Arm 5 also pivots about link 8. There is no disclosure or suggestion that extension member 60 would be pivoted on each end. To the

contrary, it is fixed to member 28. There is also no disclosure or suggestion that the viewfinder would be rotated about one end of the extension member 60. Bachmann includes link 11 to permit rotation of the viewfinder.

Lastly, extension member 60 is used to extend the viewfinder along a longitudinal direction of the viewfinder. Member 60 would most logically be used in Bachmann to similarly extend viewfinder 3, without any change to arm 5 or links 8, 9 and 11. Without extension member 60, the viewfinder in Gelbard still pivots about member 28, and member 28 is still attached to the camera body by assembly 24 (see Fig. 2). In no way would arm 5 work as an extension member 60 in Gelbard. Arm 5 moves and allows other members to move so that the viewfinder may be repositioned. Extension member 60, in direct contrast, is fixed in position and is moved by member 28 and assembly 24. The different purpose, functions and movement of arm 5 and extension member 60 clearly teach away from making the combination proposed in the Office Action.

Clearly the combination proposed in the Office Action would not be made by one skilled in the art. The Office Action has simply pointed to an extension member 60 which extends toward a back of the camera, without regard to the fact that it is not meant to be pivotable at both ends or allow a viewfinder to be pivoted thereabout, has a different purpose and function compared to arm 5, and is meant to move in a different manner compared to arm 5 (member 60 is moved by other elements while arm 5 moves other elements). It is therefore respectfully submitted that one skilled in the art would not make the combination proposed in the Office Action. Further, even if some combination of Bachmann and Gelbard were possible, it would not be made in the manner suggested in the Office Action and would not result in the camera of claim 1. It is therefore respectfully submitted that claim 1 is patentably distinguishable over a combination of Bachmann and Gelbard.

Claim 19 is amended to recite the first arm member being pivotable, substantially in a plane parallel to a side of the camera body. As clearly shown in Bachmann, member 5 pivots in a plane substantially parallel to the top of the camera, not the side. Claim 19 is also clearly patentable over the combination of Bachmann and Gelbard.

Yamada is cited for a viewfinder 12 attached to a main arm 19, in connection with the second arm member recited in claims 13-16. Viewfinder 12 is pivotable about supporting point section 17 (see Figures 1-2). First, Yamada does not disclose a camera having a first arm member as recited in claim 1. Thus, even if Yamada were to be combined with Bachmann and Gelbard as set forth in the Office Action, the resulting combination would not disclose or suggest the camera of claim 1.

Claim 1 is patentable over a combination of Bachmann, Gelbard and Yamada.

It is respectfully submitted the present application is in condition for allowance and a favorable action to that effect is respectfully requested.

Respectfully submitted,

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